

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 9TH JANUARY 2007 / 19TH PAUSHA 1928

Bail Appl..No. 7674 of 2006()

CR.NO.165/06 OF CHENGANNUR EXCISE RANGE.

: PETITIONER/ACCUSED:

RAJU, AGED 38 YEARS,
S/O. KUNJAPPY, KURANJITHARAYIL VEEDU,
PERINGDU MURI, ENNAKKADU VILLAGE, CHENGANNUR TALUK.

BY ADV. SRI.N.ASHOK KUMAR

RESPONDENT: STATE/COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY THE EXCISE INSPECTOR,
CHENGANNUR RANGE, ALAPPUZHA DIST. THROUGH THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 09/01/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION NO. 7674 OF 2006

DATED THIS THE 9th DAY OF JANUARY, 2007

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioners who is the accused in Cr.No.165/06 of Chengannur Excise Range for offences punishable under Sections 8(1) and 8(2) of the Abkari Act, for having been found in possession of five litres of arrack on 24.9.2006, seeks his enlargement on bail. The petitioner was arrested on 22.11.2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor. The learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is an accused in another case involving similar offence.

3. I am not satisfied that both the grounds enumerated under Clause (b)(ii) of Sec. 41 A of the Abkari Act are present in this case so as to justify the release of the petitioner on bail.

This application is accordingly dismissed.

V.RAMKUMAR, JUDGE.

dsn/-